

DIAA Board of Directors' Meeting Minutes  
Thursday, December 14, 2017– 9:00 a. m.  
John W. Collette Education Resource Center

I. Opening

A. Call to Order

The meeting was called to order at 9:05 a. m. by Chairperson Dr. Bradley Layfield.

B. Roll Call

The following DIAA Board members were present: Dr. Matthew Donovan, Dr. Evelyn Edney, Bruce Harris, Gary Cimaglia, Dr. Bradley Layfield, Robert Cilento, Robert Watson, Mike Hart, Dr. Kevin Fitzgerald, Mike Breeding, Vetra Evans-Gunter, Douglas Thompson, Leroy Mann, Dr. Bradley Bley, and Jeremy Jeanne. Thomas Neubauer, Executive Director, Laura Makransky, Deputy Attorney General, and DIAA staff Terre Taylor and Tina Bates were also in attendance. Dr. Mervin Daugherty, Ted Laws, Susanne Williams, and Stan Waterman were unable to attend.

C. Approval of Agenda

Mr. Neubauer stated that Item III. D. was rescheduled. Mr. Cimaglia made a motion to approve the amended agenda. The motion was seconded by Mr. Hart and carried unanimously, 13 – yes (Donovan, Edney, Cimaglia, Layfield, Cilento, Watson, Hart, Fitzgerald, Breeding, Evans-Gunter, Thompson, Bley, and Jeanne) and 0 – no.

D. Approval of Minutes of DIAA October 12, 2017 and November 9, 2017 Board Meetings

Mr. Hart made a motion to approve the October 12, 2017 minutes. The motion was seconded by Mr. Breeding and carried by a vote of 13 – yes (Donovan, Edney, Cimaglia, Layfield, Cilento, Watson, Hart, Fitzgerald, Breeding, Evans-Gunter, Thompson, Bley, and Jeanne) and 0 – no.

Dr. Donovan made a motion to approve the November 9, 2017 minutes. The motion was seconded by Mr. Thompson and carried by a vote of 12 – yes (Donovan, Edney, Cimaglia, Layfield, Cilento, Watson, Hart, Fitzgerald, Evans-Gunter, Thompson, Bley, and Jeanne), 0 – no, and 1 – abstention (Breeding).

E. DIAA Financial Report

Mr. Neubauer reported on the DIAA budget and commented that there was a \$64,000.00 deficit but explained that there was well over \$65,000.00 just deposited after the fall championship games. Mr. Neubauer reported that the deficit is normal for this time of year. Ms. Evans-Gunter made a motion to approve the financial report. The motion was seconded by Dr. Fitzgerald and carried unanimously, 13 – yes (Donovan, Edney, Cimaglia, Layfield, Cilento,

Watson, Hart, Fitzgerald, Breeding, Evans-Gunter, Thompson, Bley, and Jeanne) and 0 – no.

II. Public Comment

None.

III. Action Items

A. Approval of Tournament Sanctions

Mr. Neubauer reported that there are 39 sanctioned events before the Board for approval – Basketball: Patriot Holiday Classic (12/28/17); DSAC Tip-Off Classic (12/8-9/17); 5<sup>th</sup> annual DAAD Christmas (12/28-29/17); Garnet Valley Club (12/27-28/17); Wrestling: Raymond Oliver (12/1-2/17); 2017 Beast of the East(12/16/17); Battle at the Beach XIII (12/28-29/17); Trojan Wars (12/29-30/17); 2018 Virginia Duals (1/12-13/18); JV Hawk Duals (1/13/18); Smyrna JV Tournament (1/20/18), Cavalier Duals (1/12/18), Easton New Year’s Brawl (1/5-6/18); Indoor Track: Howard County Winter (12/16/17); Dickinson HS Holiday (12/8/17); Maroon and Gold (12/8/17), Franklin & Marshall Meet 1 (12/9/17), Ursinus College HS (12/9/17, Prince George’s Relay (12/14/17), CNU’s HS Winter Frolic (12/15-16/17), Tim St. Lawrence (12/15/17), AT&T Coaches Hall of Fame (12/16/17), Ed Bowie Classic (12/21/17), Ursinus College Holiday (12/23/17), Prince George’s Holiday (12/28/17), Ocean Breeze Holiday Festival (12/30/17), CNU’s HS Showcase (1/5/-6/18), Ocean Breeze Freedom Games (1/6/18), N5CTA Winter Invitational (1/7/18), Kutztown Golden Bears (1/13/18), Montgomery Invitational (1/13/18), Bears HS Invitational (1/4/18), The VA Showcase (1/19-20/18), 2018 Yale Classic (1/19-20/18), Douglas Wesner Memorial (1/20/18), Franklin & Marshall Meet 2 (1/27/18), Ocean Breeze Invitational (1/27-28/18), Wyomissing Area HS Team (2/2/18), 84<sup>th</sup> Eastern State Champs (2/20/18). Mr. Neubauer stated that to the best of his knowledge the 39 approved were in compliance with DIAA and NFHS regulations. Mr. Watson made a motion to approve the sanctioned events. The motion was seconded by Mr. Hart and carried unanimously, 13 – yes (Donovan, Edney, Cimaglia, Layfield, Cilento, Watson, Hart, Fitzgerald, Breeding, Evans-Gunter, Thompson, Bley, and Jeanne) and 0 – no.

B. Request by Rules & Regs Committee to Enact a Legislative Change to Ch. 3 Title 14.

Mr. Holloway, representing the Rules & Regulations Committee was in attendance to present this request.

Mr. Neubauer and Mr. Holloway gave a summary on the history of the

oversight DSSAA/DIAA exercised regarding officials' association. The creation of the DIOC and the stabilizing of Officials' Fees due to the work of that group.

Ms. Makransky explained that DIAA has the authority to set member schools' dues and fees but that they do not have the authority to set officials' fees.

Mr. Holloway asked to have the DIAA Board look to have a Legislative change to the Board's authority to allow the Board to set the regular season fees for all officials' groups.

Mr. Hart made a motion to request Ms. Makransky to draft language for legislative change to Chapter 3. The motion was seconded by Mr. Cilento and carried by a vote of 13 – yes (Donovan, Edney, Cimaglia, Layfield, Cilento, Watson, Hart, Fitzgerald, Breeding, Evans-Gunter, Thompson, Bley, and Jeanne) and 0 – no.

C. Request to Waive 1009.2.7 by Thomas McKean High School – 2017-12-1

Student and Matt Carre athletic director for McKean High School were in attendance to present this request. The Board went into executive session for the purposes of discussing the request, including the content of the pupil file.

While in executive session, the hearing proceeded, evidence was taken, and the Board held deliberations. All persons participating in this hearing were sworn in. All the documentation was made part of the record and in addition to the testimony given the Board considered the written documentation provided.

The Board went into deliberation. The Board came out of deliberation and then went back into deliberation. The Board came out of deliberation and then came out of executive session.

Mr. Jeanne made a motion to approve the waiver contingent upon receiving a letter from the school principal based on the testimony and evidence presented that a hardship does exist and the other conditions for granting a waiver were established. The motion was seconded by Dr. Fitzgerald and carried by a vote of 13 – yes (Donovan, Edney, Harris, Cimaglia, Layfield, Cilento, Watson, Hart, Fitzgerald, Breeding, Evans-Gunter, Bley, and Jeanne), 0 – no, and 1 abstention (Thompson).

E. Request to Waive 1009.2.7.3.3 by Caravel Academy – 2017-12-3

Student's father was in attendance to present this request. The Board went into

executive session for the purposes of discussing the request, including the content of the pupil file.

While in executive session, the hearing proceeded, evidence was taken, and the Board held deliberations. All persons participating in this hearing were sworn in. All the documentation was made part of the record and in addition to the testimony given the Board considered the written documentation provided.

The Board went into deliberation. The Board came out of deliberation and then came out of executive session.

Mr. Cilento made a motion to approve the waiver based on the testimony and evidence presented that a hardship does exist and the other conditions for granting a waiver were established. The motion was seconded by Mr. Hart and carried by a vote of 15 – yes (Donovan, Edney, Harris, Cimaglia, Layfield, Cilento, Watson, Hart, Fitzgerald, Breeding, Evans-Gunter, Bley, Harris, Mann, and Jeanne), 0 – no.

F. Request to form Ad Hoc Hall of Fame Committee

Dr. Fitzgerald commented that he was requesting that DIAA develop a Hall of Fame. Dr. Fitzgerald explained that since there was no physical place to have a Hall of Fame the DIAA could have a place on their website. Dr. Fitzgerald was recommending that the Board develop an Ad Hoc Committee who could develop the appropriate criteria for the Hall of Fame. Dr. Fitzgerald also commented that this would shed positive light on DIAA.

Dr. Fitzgerald made a motion to create an Ad Hoc Committee to present a plan to the DIAA Board in three months to move forward. The motion was seconded by Dr. Bley and carried by a vote of 15 – yes (Donovan, Edney, Harris, Cimaglia, Layfield, Cilento, Watson, Hart, Fitzgerald, Breeding, Evans-Gunter, Bley, Harris, Mann, and Jeanne), 0 – no.

G. Request by Indian River School District for a waiver of Regulation 1009.4.3.1

Todd Fuhmann, athletic director at Indian River High School, was in attendance to present this request. Mr. Fuhmann explained that the Indian River School District was requesting a waiver of DIAA Regulation 1009.1.5.1.1 for Indian River and Sussex Central High Schools. Dr. Bradley Layfield, DIAA Board Chair and Sussex Central HS Principal and Leroy Mann recused themselves from this item and the request was chaired by Mr. Gary Cimaglia. Mr. Fuhmann stated that the Indian River School Board has an expectation that these two Districts school will compete against each other during every season in all varsity sports. Due to several complicating factors that Mr. Fuhmann explained, the schools were unable to schedule their

varsity basketball teams for the 2017-18 school year. The District requested this waiver of 1009.1.5.5.1.1 so as to allow the two schools to have their varsity boys and girls basketball teams to compete in scrimmage games for this season only but to waive the provisions of a scrimmage that do not allow officials to be paid and for the score to be kept. The Board emphasized that this was a one-time request due only to the extraordinary circumstances presented by the Indian River School District.

Mr. Watson made a motion to deny the request. The motion was seconded by Mr. Hart and failed by a vote of 8 – no (Donovan, Edney, Harris, Cimaglia, Cilento, Breeding, Evans-Gunter, and Jeanne) and 4 – yes (Watson, Hart, Thompson, and Bley). Mr. Breeding then made a motion to approve the request with the stipulation that each school was permitted to have a maximum of two varsity boys' and two varsity girls' basketball scrimmages the following school year (2018-2019). The motion was seconded by Mr. Jeanne and carried by a vote of 12 – yes (Donovan, Edney, Harris, Cimaglia, Cilento, Watson, Hart, Breeding, Evans-Gunter, Thompson, Mann, Bley, and Jeanne) and 0 – no.

#### H. DESMAC Requests

Mr. Neubauer explained that the Indoor Track Committee is asking to do field events outside if a facility does not have the means to hold event inside. Dr. Bley commented that the NFHS has no guidelines but pointed out key factors such as warm-up gear and if students have asthma and the effects that cold weather have on that.

Mr. Jeanne made a motion to approve the requests with corrections from DESMAC. The motion was seconded by Mr. Breeding and carried by a vote of 13 – yes (Donovan, Edney, Harris, Layfield, Cilento, Watson, Hart, Breeding, Evans-Gunter, Thompson, Mann, Bley, and Jeanne) and 0 – no.

#### I. Proposal by DIAA State Baseball Committee to expand the State Tournament

Mr. Neubauer reminded the Board that two years ago they voted to modify the state baseball tournament. Mr. Neubauer explained that the Baseball Committee is now asking to expand the tournament to 24 teams. Mr. Hart explained that expanding the tournament to 24 teams was a much better fit and that all baseball coaches approved and the majority of athletic directors approved as well.

Mr. Jeanne made a motion to approve the request by the Baseball Committee for a two year trial basis. The motion was seconded by Mr. Mann and carried by a vote of 10 – yes (Edney, Harris, Cimaglia, Layfield, Watson, Breeding,

Evans-Gunter, Thompson, Mann, Bley, and Jeanne), 0 – no, and 3 – recusals (Cilento, Hart, and Donovan).

J. Recommended Changes by Rules & Regs Committee: 1009.2.8 and 1008/1009.8.0

Mr. Neubauer and Ms. Taylor reviewed and explained the current foreign exchange regulations and summarized the current J1 and F1 programs. They then explained the recommended changes to 1009.2.8.

Mr. Neubauer reviewed the changes to Regulation 1008/1009.8. Mr. Neubauer reviewed the reorganization of numbers and the additions to Officials fees.

Mr. Watson made a motion to accept the recommended changes to Regulation 1009.2.8. The motion was seconded by Mr. Hart and carried by a vote of 13 – yes (Donovan, Hart, Cilento, Edney, Harris, Cimaglia, Layfield, Watson, Breeding, Evans-Gunter, Thompson, Mann, Bley, and Jeanne) and 0 – no.

Mr. Jeanne made a motion to accept the changes to Regulations 1008 and 1009.8.0. The motion was seconded by Dr. Donovan and carried by a vote of 13 – yes (Donovan, Hart, Cilento, Edney, Harris, Cimaglia, Layfield, Watson, Breeding, Evans-Gunter, Thompson, Mann, Bley, and Jeanne) and 0 – no.

K. Ratification of Interim Waivers:

Request to waive 1009.2.7 by Charter 2017-12-4 and Request to waive 1009.2.4 by Seaford 2017-12-5.

Ms. Makransky explained the new process for interim waivers.

Mr. Neubauer issued two interim waivers one from Charter School of Wilmington and one from Seaford High School.

Mr. Hart made a motion to ratify Mr. Neubauer's decision to grant both the waivers. The motion was seconded by Mr. Mann and carried by a vote of 11 – yes (Donovan, Edney, Harris, Cimaglia, Mann, Cilento, Watson, Hart, Evans-Gunter, Thompson, Bley, and Jeanne) and 2 – recusals (Breeding and Layfield).

IV. Board Discussion Items

Mr. Neubauer reviewed an appeal he received from Woodbridge High School regarding a football game. Mr. Neubauer reported that he received video of the game and then forwarded it to a sub-committee to review. Mr. Neubauer reported that the official also admitted to the error.

Mr. Neubauer commented on the NFHS calendar and the DIAA calendar and a copy of the NFHS Calendar system was distributed to the Board for comparison.

Mr. Neubauer commented that he was asking for thoughts on Regulation 1008/1009.10.5

V. Executive Director Report

Mr. Neubauer reported on the fall tournaments and the attendance.

Mr. Neubauer reported that he will be meeting with St. Thomas More in the next week.

VI. Other Items for Discussion Only

Mr. Jeanne requested an update on realignment.

VII Adjournment

Mr. Cilento made a motion to adjourn at 1:00 p.m. The motion was seconded by Mr. Breeding and carried unanimously, 12 – yes (Breeding, Thompson, Mann, Donovan, Evans-Gunter, Edney, Jeanne, Hart, Cilento, Harris, Bley, and Watson) and 0 no.

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Tina Bates